

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

CHAMBERS OF
RICHARD D. BENNETT
UNITED STATES DISTRICT JUDGE

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August 13, 2003

TO COUNSEL OF RECORD

Re: Whalen v. Temper
Civil No. RDB 02-191

Dear Counsel:

Attached is the Court's decision on the Motion for Summary Judgment filed by Defendant Universal Underwriters Insurance Company.

The Defendant NuCar Connection, Inc., filed a Motion for Summary Judgment on August 5, 2003. This Court's Scheduling Order of May 23, 2003 was entered after a chambers conference with counsel that same day. That Order addressed the time table for the filing of a motion by the Defendant Universal. The matter of additional motions by other parties was not addressed at the chambers conference or in the Revised Scheduling Order. While this motion was not timely filed within the original Scheduling Order set in this case, the motion will be entertained on an expedited briefing schedule. The Local Rules of this Court would ordinarily require the Plaintiff's response to be filed by August 22, 2003, and the rebuttal response by September 5, 2003. In light of the trial date of September 8, 2003, the Court requests the Plaintiff's response by Wednesday, August 20, 2003. The rebuttal response of the moving party NuCar shall be filed by August 25, 2003.

In lieu of the pretrial conference this Friday, August 15, 2003, at 10:00 a.m., the Court will initiate and conduct a telephone conference for the purpose of scheduling a pretrial conference, the submission of *voir dire*, instructions, and motions *in limine*.

Although informal in format, this letter constitutes an Order of Court and the same will be docketed as such.

Sincerely,

/s/

Richard D. Bennett
United States District Judge

RDB/skp
Attachment